

Summary of Planning Commission Votes
Regular Meeting of the Aurora Colorado Planning Commission
March 27, 2019

Agenda Item #	Item Description	Plg Dept Recom	Plg Comm Action*	Est. City Council Schedule**
5a.	<p>SLIM CHICKENS RESTAURANT – SITE PLAN (Ward II) CASE MANAGER: Deborah Bickmire APPLICANT: Entitlement & Engineering Services Development Application: DA-2100-03 Case Number: 2018-6062-00 General Location: Northeast Corner of Tower Road and 38th Avenue Condition: 1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.</p>	Approve w/ a condition	<p>Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	Call-up deadline April 15, 2019
5b.	<p>JBI WAREHOUSE – SITE PLAN (Ward II) CASE MANAGER: Christopher Johnson APPLICANT: Invent Development Partners Development Application: DA-2169-00 Case Number: 2018-6065-00 General Location: East of the Southeast Corner of 33rd Avenue and Revere Street (12610 E 33rd Avenue) Condition: 1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.</p>	Approve w/ a condition	<p>Approved with a condition For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	Call-up deadline April 15, 2019
5c.	<p>MAJESTIC COMMERCCENTER – REZONING FROM MASTER PLANNED INDUSTRIAL PARK (PD) AND M-1 TO E-470 LIGHT INDUSTRIAL/FLEX OFFICE SUBAREA AND E-470 REGIONAL RETAIL/COMMERCIAL SUBAREAS (Ward II) CASE MANAGER: Brandon Cammarata APPLICANT: Majestic Realty Co Development Application: DA-1127-31 Case Number: 1996-2005-03 General Location: Northeast Corner of Picadilly Road and 26th AVene (11980 E 16th Avenue)</p>	Recommend Approval	<p>Recommended Approval For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	City Council Meeting Date April 15, 2019
5d.	<p>MAJESTIC COMMERCCENTER – FDP W/WAIVERS FOR HEIGHT AND FENCE MATERIALS (Ward II) CASE MANAGER: Brandon Cammarata APPLICANT: Majestic Realty Co Development Application: DA-1127-31 Case Number: 2018-7005-00 General Location: Northeast Corner of Picadilly Road and 26th AVene (11980 E 16th Avenue) Conditions: 1. Resolution of outstanding technical issues prior to recordation and issuance of any building permits. 2. Clarify details and resolve issues associated with the Public Improvement Plan (PIP)</p>	Recommend Approval w/ two conditions	<p>Recommended Approval with two conditions For Approval: 7 For Denial: 0 Abstentions: 0 Absent: 0</p>	City Council Meeting Date April 15, 2019

PLEASE NOTE:* Planning Commission approvals and denials are always listed in terms of the APPLICANT'S original request, regardless of whether the Commission's motion was phrased as a motion to approve or to deny. For example, Commission members voting FOR a motion to deny approval are listed as voting for "denial".

** City Council hearing dates listed are preliminary—final dates may be subject to change.

Planning Department
City of Aurora, Colorado

SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: SLIM CHICKENS RESTAURANT - SITE PLAN

Planning Commission Hearing Date: March 27, 2019
Deadline for City Council Call Up: April 15, 2019
Ward and Council Member: Ward II

Project Type: Site Plan
DA Number: DA-2100-03
Case Number: 2018-6062-00
Location: QS:99N – Northeast Corner of Tower Road and 38th Avenue
Case Manager: Deborah Bickmire

Description:

The applicant, Tower Retail LLC, is requesting approval of a restaurant with a drive-thru on a 1.0-acre site located northeast of the Tower Road and 38th Avenue intersection. The subject property is zoned M-1, Light Industrial, and is referenced as one of three pad sites within the 38th and Tower Master Site Plan. The property is bordered by Tower Road to the west, a future car wash to the south, a drainage easement and the City of Denver to the north and a warehouse/distribution development is under construction immediately to the east.

The proposed development includes a 3,375 square-foot fast Slim Chickens restaurant with a 380 square-foot covered patio and drive-thru. Vehicular access to the site will be provided by way of internal driveways; one with right-in/right-out access located to the north of the site and a second driveway to the south that connects to an internal road. A total of 39 standard parking spaces are provided, two accessible handicap spaces and four bicycle parking spaces. The design of the building incorporates brick and cementitious siding with metal finishes, varied textures, projections and overhangs with glazed windows. Architectural details are continued on all four sides of the building. No waivers are being requested.

The subject property is one of six lots within the 38th and Tower Master Site Plan. The Master Site Plan area was approved concurrent to a rezoning to M-1 and included provisions for drainage, access and infrastructure for the master planned area. Site plans have been approved for two industrial warehouse/distribution buildings to the east, and a carwash and 7-Eleven to the south.

Five adjacent property owners and two registered neighborhood organizations were notified. One comment was received during the review period stating support for the proposed development. A neighborhood meeting was not held.

Testimony Given at the Hearing:

Commissioner Bush commented that the site had plenty of parking and asked the applicant to discuss the percentage of drive-thru business vs. sit-down dining.

Tim Leonard, Deepwater Point Company, 31714 Ruby Ranch Road, Evergreen, CO, representing the applicant, responded stating the majority of the restaurant's customers come directly into the restaurant for a sit-down meal and their drive-thru business is considerably less than an average fast-food restaurant.

Planning Commission Results

Agenda Item 5a – Site Plan

A motion was made by Commissioner Hettick and seconded by Commissioner Lyon.

Move to approve, with a condition, the Site Plan because the proposal complies with the requirements of Code Section 146-405(F), because the proposal:

1. Is consistent with the Aurora Places and adjacent development;
2. Will have minimal impact on existing City infrastructure and public improvements;
3. Provides for internal efficiency of design;
4. Provides accessibility and connectivity of traffic and circulation; and
5. Establishes quality urban design and architecture.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Further Discussion by the Commission

No further discussion occurred.

Action Taken: Approved with a Condition

Votes for the Site Plan: 7

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Planning Department
City of Aurora, Colorado

SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: JBI WAREHOUSE - SITE PLAN

Planning Commission Hearing Date: March 27, 2019
Deadline for City Council Call Up: April 15, 2019
Ward and Council Member: Ward II

Project Type: Site Plan
DA Number: DA-2169-00
Case Number: 2018-6065-00
Location: QS:01E – East of the Southeast Corner of 33rd Avenue and Revere Street
Case Manager: Christopher Johnson

Description:

The applicant, Invent Development Partners, is requesting approval of a site plan for an approximately 35,000 square-foot warehouse and office on 3.3 acres for JBI Bike. JBI Bike is a bicycle parts manufacturer and distributor. The site is located at 12610 E 33rd Avenue, directly north of the Baranmor Ditch, with its only street frontage on 33rd Avenue to the north. The site is zoned (M-1) Light Industrial District and is currently vacant. The proposed warehouse and office use is permitted in the (M-1) Light Industrial District and no waivers are being requested. The 3.3-acre lot was created as part of the Mile Hi Express Subdivision Plat, and is directly adjacent to the Mile-Hi Express warehouse, which is currently under construction.

Vehicular access to the site will be provided from one access point off of 33rd Avenue with a secondary fire lane access easement off of 33rd Avenue on the east. The building's office area and entries will be oriented towards 33rd Avenue. A new sidewalk and tree lawn will be constructed along the 33rd Avenue frontage. The loading area will be screened from the Morris Heights residential area to the south with landscaping and an opaque stucco wall. There will be additional landscaping in the parking area and around the building perimeter and street frontage. The 34,890 square foot building will be primarily comprised of stucco and metal with a highlighted masonry entry and a cultured stone wainscoting provided around the base of the primary structure. The project is to be constructed with materials and design that will be consistent with the design of the adjacent Mile Hi Express project, creating a unified design development.

Six adjacent property owners and two registered neighborhood organizations were notified of the site plan application. No comments were received and no neighborhood meeting was held.

Testimony Given at the Hearing:

Commissioner Deane asked staff how the proposal would look when viewed from the residential area to the south. Staff provided building elevations and a rendering of the adjacent project, which was also completed by the applicant.

Charlie Alexander, 2003 Crestridge Drive, Greenwood Village, CO, representing the applicant, further explained that the loading areas would be screened with a masonry wall, to prevent it from being seen from the residential areas.

Commissioner Staley asked the applicant about the amount of office space that would be provided in this project, and why there is not more office space proposed. Mr. Alexander explained that in this part of the city most of their projects are build-to-suit developments for a specific client and that this area does not generate a high demand for large commercial office spaces.

Planning Commission Results

Agenda Item 5b – Site Plan

A motion was made by Commissioner Lyon and seconded by Commissioner Deane

Move to approve, with one condition, the site plan because the proposal complies with the requirements of Code Section 146-405(F), for the following reasons:

1. It is consistent with the goal of the Aurora Places Plan's economic strategies and "Industry Hub" Placetype;
2. It is comparable and compatible with adjacent development;
3. Will have minimal impact on existing city infrastructure and public improvements;
4. Mitigates negative external effects on nearby uses and provides for internal efficiency of design;
5. Provides accessibility and connectivity of traffic and circulation; and
- 6 Establishes high quality building design and landscape architecture.

Approval to be subject to the following condition:

1. Resolution of outstanding technical issues prior to recordation of the site plan and issuance of any building permits.

Further Discussion by the Commission

No further discussion occurred.

Action Taken: Approved with a Condition

Votes for the Site Plan: 7

Votes against the Site Plan: 0

Absent: None

Abstaining: None

Planning Department
City of Aurora, Colorado

SITE PLAN SUMMARY OF PLANNING COMMISSION ACTIONS

Site Plan Name: MAJESTIC COMMERCENTER – REZONING AND FDP WITH WAIVERS

Planning Commission Hearing Date: March 27, 2019

City Council Meeting Date: April 15, 2019

Ward and Council Member: Ward II

Project Type: Rezoning and Framework Development Plan with Waivers

DA Number: DA-1127-31

Case Numbers: 1996-2005-03; 2018-7005-00

Location: QS:02S 02T 01S – Between Tower Road and E-470 and between
38th Avenue and 26th Avenue

Case Manager: Brandon Cammarata

Description:

The applicant, Majestic Realty, requests approval of a Rezone of approximately 1,000 acres from MPIP Master Planned Industrial Park and M-1 Light Industrial to E-470 Industrial/Flex Office and Regional Retail/Commercial Subareas for the existing Majestic Commercenter Master Planned Industrial Park (MPIP). An additional 540 annexed acres to the east was recently annexed and zoned to this same E-470 Industrial/Flex Office district. The applicant is also requesting approval of a Framework Development Plan (FDP) with two waivers that will apply to the rezoned area and the 540 recently annexed acres.

Majestic Commercenter was established in 1996 as a planned 1,500-acre industrial business park. The park is approximately 50% built out. The expanded development extends from Tower Road to E-470 and is between 38th and 26th Avenues. The main drive through the development is 32nd Parkway which is a tree-lined street with a landscaped median extending from Tower Road to Picadilly Road.

The expanding Majestic Commercenter primarily accommodates large warehouse and distribution sites with over 4,000,000 square feet of existing building space and is home to well-known businesses such as Amazon, GE, FedEx, Whirlpool and Sherwin Williams with an expanded capacity for these large-scale employment uses.

North of the Commercenter are residential communities of Denver as well as the recently approved Green Valley Ranch East in Aurora. On the east side of E-470 is the recently approved “The Aurora Highlands” development. To the south and the west are existing and developing commercial and industrial projects. 38th Avenue is planned to be an interchange at E-470, while at 26th Avenue to the south is an existing overpass.

Aurora Places, the City’s Comprehensive Plan, supports the proposed rezoning and designates this area as an “Industrial Hub.” The existing Majestic Commercenter is consistent with the guidelines in Aurora Places and includes a multimodal street network, quality landscaping, and architectural design standards. The area is also near major transportation corridors including I-70, E-470 and rail lines.

The proposed FDP which covers the entire 1,500-acre development reinforces and enhances the quality and efficient design of the existing Majestic Commercenter. The FDP includes cohesive elements such as the continuation of 32nd Parkway through the site and continues the architectural

and signage themes. The FDP is before the Planning Commission to address two waivers. A height waiver to allow a maximum building height of 120 feet compared to existing code allowance of 60 feet is the first waiver request. To mitigate the increased building height, the applicant has proposed a 100-foot building setback from 38th Avenue and the residential uses to the north. This request is primarily needed for the recently annexed portion of the project east of Picadilly Road. The existing portion of the park did not require this increased height waiver request due to a current Unlimited Building Height Overlay that extends along the industrial areas adjacent to I-70. The overlay does not extend into the newly annexed area. This waiver request effectively allows for the logical continuation of this allowance along this corridor. The second waiver is to allow a variation in the required fence materials.

The applicant is requesting Rezone approval from MPIP Master Planned Industrial Park (PD) and M-1 Light Industrial to E-470 Light Industrial/Flex Office Subarea and E-470 Regional Retail/Commercial Subarea. Framework Development Plan (FDP) approval with building height and fence material waivers. Building height waivers are being requested for Section 146-913 – “Building Height, Setbacks and Lot Areas”; and fence material waivers for Section 146-917 – “Fences and Walls”.

One comment was received from Univair Aircraft Corporation at 2500 Himalaya Road:
“No objection to rezoning but do support as much extra vehicle ingress and egress from the area, especially Himalaya Road and 32nd Ave. Access to our Business has been steadily more difficult for the past number of years due to the increase in truck, employee, and construction traffic in the area. Recommend full in and out access on Himalaya and 38th.”

Testimony Given at the Hearing:

Randy Hertel, Majestic Realty Company, 20100 E 32nd Parkway, Suite 150, Aurora, CO, the applicant, made a PowerPoint presentation. Commissioners asked the applicant to describe reasons for the increase building height request. Mr. Hertel identified that with new technologies such as robotics allow for new approaches in building designs.

The Commissioners asked if the oil and gas screen is anticipated to be 360 degrees and staff indicated that is the expectation.

The Commissioners had limited discussion on energy efficiency and the applicant identified that with new technologies such as robotics, more electricity is utilized, but the building footprints are reduced.

Planning Commission Results

Agenda Item 5c - Rezone from Master Planned Industrial Park (MPIP) and M-1 Light Industrial to E-470 Light Industrial Flex Office Subarea and E-470 Regional Retail/Commercial Subarea.

A motion was made by Commissioner Lyon and seconded by Commissioner Staley

Recommend approval to City Council the Rezone because the proposal complies with the requirements of Code Section 146-401(C), for the following reasons:

1. The proposed rezoning is consistent with the Placetype identified in the Comprehensive Plan Aurora Places as an “Industrial Hub”;
2. The applicant has also proposed an FDP Master Plan for the areas to ensure code compliance; and
3. The proposal is an extension of existing industrial zoning.

Further Discussion by the Commission

Commissioner Staley suggested that moving forward the development think about adding renewable energy sources, possibly on the roof surfaces.

Commissioner Lyon stated that he believes that this industrial park is an important one to the City and welcomes its expansion.

Commissioner Bengen suggested 32nd Parkway is a positive feature in the existing Majestic Commercenter and hopes it is extended into the expanded area.

Action Taken: Approved

Votes for the Rezoning: 7

Votes against the Rezoning: 0

Absent: None

Abstaining: None

Agenda Item 5d – Framework Development Plan with Two Waivers

A motion was made by Commissioner Staley and seconded by Commissioner Bush.

Approve, with two conditions, the Framework Development Plan with a waiver of Code Section 146-913 for building height, setback and lot areas to allow a maximum building height of 120 feet and a waiver of Code Section 146-917 to allow additional fencing materials, for the following reasons:

1. The FDP with waivers comply with the Placetype identified in Aurora Places as an “Industrial Hub” and the proposed E-470 zoning;
2. The proposed FDP incorporates Northeast Areas Transportation Study recommendations;
3. The requested waivers will not reduce the degree to which the development is compatible with adjacent development; and
4. The waivers and proposed mitigation will enhance the impacted areas.

Approval to be subject to the following conditions:

1. Resolution of outstanding technical issues prior to recordation and issuance of any building permits.
2. Clarify details and resolve issues associated with the Public Improvement Plan (PIP).

Further Discussion by the Commission

No further discussion occurred.

Action Taken: Approved with Two Conditions

Votes for the FDP with Waivers: 7

Votes against the FDP with Waivers: 0

Absent: None

Abstaining: None